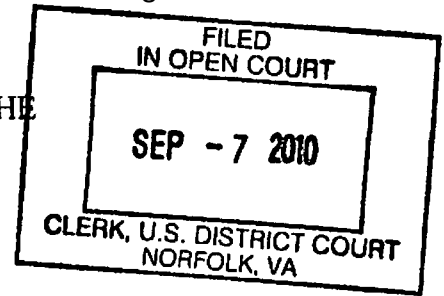


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
NEWPORT NEW DIVISION



UNITED STATES OF AMERICA)
)
) Criminal No. 4:08cr147
)
ELOY MARTINEZ)

STATEMENT OF FACTS

Comes now the United States and offers to the court that had the above-styled matter proceeded to trial the United States would have proven the following facts beyond a reasonable doubt.

1. During 2007, the Bureau of Immigration and Customs Enforcement (ICE) began an investigation into ELOY MARTINEZ as a suspected distributor of cocaine, a Schedule II narcotic controlled substance. MARTINEZ was identified as a source of supply and co-conspirator of Frederick Bates, a major drug trafficking target.

2. During the course of the investigation law enforcement officers interviewed multiple cooperating witnesses who detailed their prior drug dealings with the defendant. Between 2004 and 2007, ELOY MARTINEZ conspired together with others to distribute and possess with intent to distribute more than 150 kilograms of cocaine. These deals involved MARTINEZ obtaining kilogram quantities of cocaine and providing them to distributors, namely Bates, in the Eastern District of Virginia.

3. Between the dates in the indictment MARTINEZ and Bates employed various methods of transportation to bring the cocaine to the Tidewater Area. These methods included smuggling the cocaine in vehicles that were either driven or shipped to Virginia.

4. MARTINEZ worked closely with Francisco Ramos to obtain multi-kilogram quantities of cocaine for Bates. Once the cocaine was shipped to the Eastern District of Virginia,

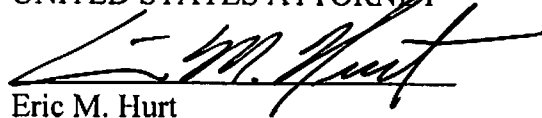
Em
ZH
EMH

Bates would break down the cocaine and supply it to his distributors. In September 2007, Ramos traveled to the EDVA where he collected money owed him by Bates for cocaine. This money was then deposited in Bank of America accounts associated with MARTINEZ to pay for the cocaine.

4. The majority of these events occurred in the Eastern District of Virginia.

Respectfully submitted,

NEIL H. MACBRIDE
UNITED STATES ATTORNEY



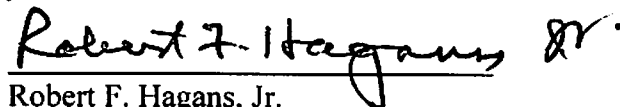
Eric M. Hurt
Assistant United States Attorney
Fountain Plaza Three, Suite 300
721 Lakefront Commons
Newport News, Virginia 23606
VA Bar # 35765

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, ELOY MARTINEZ and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



ELOY MARTINEZ

I am ELOY MARTINEZ's attorney and I have carefully reviewed the above Statement of Facts with the defendant. To my knowledge, the decision to stipulate to these facts is an informed and voluntary one.

Date: 9/7/2010 
Robert F. Hagans, Jr.
Counsel for the Defendant

Em
RH
cmh